



കേരള സർക്കാർ
Government of Kerala
2020



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI

Reg. No. KL/TV(N)/634/2018-20

കേരള ഗസറ്റ് KERALA GAZETTE

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

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| വാല്യം 9 Vol. IX | തിരുവനന്തപുരം, ചൊവ്വ Thiruvananthapuram, Tuesday | 2020 മാർച്ച് 17 17th March 2020 1195 മീനം 4 4th Meenam 1195 1941 ഫാൽഗുനം 27 27th Phalguna 1941 | നമ്പർ No. | 11 |
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PART IV Private Advertisements and Miscellaneous Notifications

COCHIN PORT TRUST**NOTIFICATION****Cochin Port Trust Employees (Recruitment, Seniority and Promotion)
Amendment Regulations, 2020**

In exercise of the powers conferred under Section 28 of the Major Port Trusts Act, 1963 (38 of 1963) the Board of Trustees of the Port of Cochin hereby makes the following Regulations further to amend the Cochin Port Trust Employees (Recruitment, Seniority and Promotion) Regulations, 2010 namely:—

I. Short Title and commencement

- (i) These Regulations may be called “The Cochin Port Trust Employees (Recruitment, Seniority and Promotion) Amendment Regulations, 2020”- (Recruitment Rules for Class III and IV posts)
- (ii) They shall come into force on the date of publication in the State Gazette.
- (iii) The Central Government has already given approval to the Board of Trustees of the Port of Cochin to make Regulations in respect of class III & IV posts vide Notification dated 28-10-2010 in the Gazette of India.
- (iv) This publication is made under Section 132 of the Major Port Trusts Act, 1963.

II. In the Schedule annexed to Regulation 5 of the Cochin Port Trust Employees (Recruitment, Seniority and Promotion) Regulations, 2010, published in the Kerala Gazette No. 12 dated 22-3-2016, No. 27 dated 2-7-2019 in the Recruitment Rules of Class III & IV posts under Marine Department, for the post of II Mate (MES) at Serial Number 102—

- (i) the entries under Column No.6 shall be substituted as under:-
‘35’
- (ii) the entries under Column No. 7 shall be Substituted as under:-
“Certificate of Competency as Navigational Watch Keeping Officer (Near Coastal Voyage) issued by Government of India (DG Shipping)”
- (iii) the entries under Column No. 8 shall be substituted as under:-
 - (a) No
 - (b) No, However, Certificate of Competency as Navigational Watch Keeping Officer (Near Coastal Voyage) issued by Government of India (DG Shipping) or Certificate of Competency as 1st Class Inland Master’s Certificate issued as per Harbour Craft Rules/Inland Vessels Act. 1917 is essential.
 - (c) No
- (iv) the entries under Column No. 9 shall be substituted as under:-
“2 years for direct recruitment”
- (v) the entries under Column No. 10 shall be substituted as under:-
“By Promotion, Failing which by Direct Recruitment”
- (vi) the entries under Column No. 11 shall be substituted as under:-
“Promotion from Navigating Master in the Scale of pay of ₹ 21000-53500, failing which, promotion from any lower ranks of deck side having a combined 5 years regular service and subject to passing Launch handling test.”

*Footnote:—*Principal Regulations published in the Gazette of India vide G. S. R. 862 (E) dated 28-10-2010. Subsequent amendment published in the Gazette of India vide G. S. R. 849(E) dated 25-10-2014, G. S. R. 604(E) dated 31-7-2015 G. S. R. 644(E) dated 30-6-2016, G. S. R. 649(E) dated 1-7-2016, G. S. R. No. 1126(E) dated 9-12-2016 G. S. R. 1151 (E) dated 16-12-2016, G. S. R. 211(E) dated 9-3-2017, G. S. R. 306(E) dated 30-3-2017, G. S. R. 1435(E) dated 20-11-2017, G. S. R. 235(E) dated 25-3-2019, G. S. R. 417(E) dated 12-6-2019 and G. S. R. 630(E) dated 3-9-2019 in the Gazette of India and also in Kerala State Gazette No. 12 dated 22-3-2016, No. 51 dated 27-12-2016, No. 25 dated 19-6-2018, No. 42 dated 23-10-2018, No. 27 dated 2-7-2019 & No. 43 dated 29-10-2019.

(Sd.)
Secretary.

COCHIN PORT TRUST
 Willingdon Island, Cochin-9
 NOTIFICATION

No. A1/19/Port and Dock Regulations/2014-S.

1st November 2019.

In exercise of the powers conferred by section 123 of the Major Port Trusts Act, 1963 (38 of 1963), and in supersession of the Cochin Port and Dock Regulations, 1975, the Cochin Port Trust (Licensing of Clerks, Importers, Shippers and Clearing and Forwarding Agents) Regulations, 1966 and the Cochin Port Trust Public Bonded Warehouse (Rent and Other Charges) Regulations, 1967, except as respects things done or omitted to be done before such supersession, the Board of Trustees of Cochin Port Trust hereby makes the following regulations, subject to the approval of the Central Government and the same being published twice in the Official Gazette for the information of the public, as required under sub-section (2) of section 124 of the said Act, namely:—

I. Preliminary

1. *Short title and commencement.*— (1) These regulations may be called the Cochin Port and Dock Regulations, 2019.
- (2) They shall come into force on the date of publication of the approval of the Central Government in the Official Gazette of India.
2. *Definitions.*—In these Regulations, unless the context otherwise requires,—
 - (i) “Act” means the Major Port Trusts Act, 1963 (38 of 1963);
 - (ii) “berth” means facilities for berthing of vessels and includes dock, pier, wharf, quay, jetty and single point mooring;
 - (iii) “Board” means the Board of Trustees of the Port of Cochin constituted under the Act;
 - (iv) “bulk oil vessel” means a vessel licensed to carry petroleum in bulk as cargo;
 - (v) “Chairman”, “Deputy Chairman”, “dock”, “vessel”, “master”, “owner”, “goods” and all other relevant terms and definitions, not expressly defined or covered herein, shall have the same meaning assigned to them in the Act or in the Indian Ports Act, 1908 (15 of 1908) or any other applicable Act in force;
 - (vi) “day” means a period of 24 hours from 6 a.m. to 6 a.m.;
 - (vii) “Deputy Conservator” means the officer for the time being in charge of the Marine Department and includes the Harbour Master and any other officer or officers acting under the authority of the Deputy Conservator;
 - (viii) “Financial Adviser and Chief Accounts Officer” means the officer for the time being in charge of the Finance Department and includes the deputies and assistants to the Financial Adviser and Chief Accounts Officer and any other officer or officers acting under the authority of the Financial Adviser and Chief Accounts Officer;
 - (ix) “flash point” of any petroleum means the lowest temperature at which it yields a vapour which gives a momentary flash when ignited;
 - (x) “fuel oil” means petroleum having a flash point of not less than sixty-five degree Centigrade;
 - (xi) “Gas Free Certificate” means a certificate granted by an officer appointed by the Central Government in this behalf to the effect that a vessel has been thoroughly cleaned and freed from petroleum and inflammable vapour;
 - (xii) “IMO” means International Maritime Organisation;
 - (xiii) “motor vehicle” means vehicle propelled by mechanical means;
 - (xiv) “petroleum” means any liquid hydrocarbon or mixture of hydrocarbons and any inflammable mixture (liquid, viscous, or solid) containing any liquid hydrocarbon;
 - (xv) “Petroleum Class A” means petroleum having a flash point below twenty-three degree Centigrade;
 - (xvi) “Petroleum Class B” means petroleum having a flash point of twenty-three degree Centigrade and above but below sixty-five degree Centigrade;

- (xvii) "Petroleum Class C" means petroleum having a flash point of sixty-five degree Centigrade and above but below ninety three degree Centigrade;
- (xviii) "Petroleum in bulk" means petroleum contained in a receptacle exceeding one thousand litres in capacity;
- (xix) "Port" means the Cochin Port;
- (xx) "Traffic Manager" means the officer for the time being in-charge of the Traffic Department and includes the deputies and assistants to the Traffic Manager and any other officer or officers acting under authority of the Traffic Manager;
- (xxi) "vehicle" means any cart, carriage, lorry, truck or other wheeled contrivance used for the transportation by road of human beings or of property.

II. General

3. *Board not responsible for any act of or default of Port officials.*—The Board shall not be responsible for any act or default of Deputy Conservator or Harbour Master or of any deputy or assistant of any of the authorities aforesaid, or of any person acting under the control or direction of any such authority, deputy or assistant or for any act or default of any Pilot, or for any damage sustained by any vessel in consequence or any defect in any of the moorings, hawsers or other things belonging to the Board which may be used by the vessel.

III. Admission of Vessels into Port

4. *Notice of the expected arrival of a vessels.*— When a vessel is expected to arrive in the port, a notice shall be sent in advance at the earliest possible moment in the prescribed form, through Port Community System for vessels with International Maritime Organisation number and manually for other vessels, to the Deputy Conservator of the Port by the master, owner or agent of the vessel expressing also the particular berth, if any, which the vessel would prefer to occupy and the expression of such preference shall also be sent simultaneously to the Traffic Manager and the Harbour Master.
5. *Allotment, occupation and vacation of berths.*— The allotment of berths shall be in the discretion of the Traffic Manager and in exercising his discretion, the Traffic Manager shall be guided by the following, namely—

(a) berthing of vessels should be so arranged that.—

- (i) when the agents of a vessel have expressed a preference for any particular berth, the Traffic Manager shall, whenever possible, arrange for such a berth and where it is not possible to allot the berth desired, the Traffic Manager shall give due intimation to the agents;
- (ii) other things being equal, the vessel first arriving at the Port limits and reporting to the Port Control, shall be given priority in the allotment of berths provided her draughts and other nautical considerations permit:

Provided that such priority in the allotment of berth shall be subject to the receipt of the notice of arrival of the vessel at least 24 hours prior to the arrival of the vessel;

- (iii) over-riding priority may be given to the Government vessels embarking or disembarking troops, or landing or shipping Government stores, to passenger ships or to vessels landing or shipping live-stock;
 - (iv) the allotment shall be done in such a way as not to cause any loss to the Port, other factors being common.
- (b) no vessel berthed within the Port shall immobilise its main engines or effect repairs without the special permission of the Deputy Conservator of the Port which must be obtained in writing by the master or agents of the vessel and the Deputy Conservator shall grant such permission in consultation with the Traffic Manager;
- (c) if a vessel fails to discharge or load on any one day the quantities specified in clause (d) except for reasons beyond the control of the vessel such as weather, the Traffic Manager may call upon her to vacate her berth within four hours of the receipt of notice and such vessel shall vacate the berth within the time specified in the notice;

(d) The vessels shall have a minimum ship berth-day output as follows:—

- (a) Liquid bulk- 2500 metric tonnes;
- (b) Dry bulk - 2000 metric tonnes;
- (c) Break bulk- 500 metric tonnes;

Provided that nothing in clauses (c) and (d) shall be deemed to prevent a vessel having arrived at the Port for discharge or loading lesser quantities of cargo than those specified in clause (d), from having access to a berth, or from the use of other Port facilities;

(e) notwithstanding the foregoing provisions regarding the priorities in the allotment of berths, the Traffic Manager shall have the discretion to arrange the berthing of vessels in any particular manner, if he finds that such arrangement shall facilitate the best use of the berths or that such arrangement shall serve the general interest of shipping to the best advantage.

6. *Preferential allotment of berths in public interests.*—notwithstanding anything contained in regulation 5, the Board may direct that preference be given in the allotment of berth to any vessel or vessels, if in its opinion, it is desirable so to do in the public interest, and in exercising this power, the Board shall be guided by the following, namely:

- (i) such power, which is overriding in nature, shall be exercised only in case which warrants the Board's direction in public interest;
- (ii) such direction shall be made only when the Board is satisfied that it is necessary to interfere with the decision of the Traffic Manager made in accordance with Regulation 5;
- (iii) the Government direction issued from time to time regarding preferential allotment of berth to vessels shall have overriding priority;
- (iv) allotment of dedicated berths to particular type of cargo or ship shall not be unduly disturbed;
- (v) priorities in respect of any berth or groups of berths are duly considered before the directions are issued;
- (vi) in the normal course, preferential berthing may be done in consultation with the Traffic Manager and Deputy Conservator; and
- (vii) it shall be ensured that no avoidable hardship is caused to the owner or agent of a ship calling at the Port.

7. *Refusal to allot a berth.*— If the Traffic Manager or Deputy Conservator considers that there is good reason for not allotting a berth to a vessel, he may refer the question to the Chairman of the Board and pending the Chairman's decision, he may refuse to allot a berth and explain the reasons therefore at the time of online berth allotment and in writing to the Steamer Agents if required, after Chairman's decision is obtained.

8. *Master to be in command of vessels.*— A vessel shall not be permitted to enter or leave or be moved from one berth to another unless the Master of such a vessel or the Chief Officer holding a Master's Certificate is on board and is in actual command and only under exceptional circumstances, such as the death or serious illness of the master, special arrangements shall be made with the Deputy Conservator.

9. *Orders, etc., of the Deputy Conservator to be carried out.*— Masters and owners of vessels shall obey all directions of the Deputy Conservator in relation to the rotation and manner of approaching the port entrance and of coming into or going out of Port.

10. *Berthing of tankers in ballast at Dry Cargo Wharf Berths.*—Tankers in ballast shall not be berthed at a dry cargo wharf berth unless a certificate to the effect that the vessel is free from dangerous vapour issued by the appropriate Inspector of Explosive is produced.

11. *Vessels to be under power or assisted by tugs.*—A vessel shall not be permitted to navigate in the Port's channels or entrance unless propelled by her main engines or assisted, when necessary, by an efficient tug or tugs and the Deputy Conservator may, in the event of insufficient propelling power being provided by the master or owner, or in any case in which he considers it desirable so to do, employ the Board's and any other available tug or tugs for duties in connection with any vessel navigating the channels or entrance or berthing and unberthing; and the master or owner of every such vessel shall pay hire charges for the use of any tug of the Board in accordance with the rates fixed from time to time in this behalf and shall also pay for the use of any other tug engaged at such rate as the owner of the Tug usually charges for a similar work.

12. *Supply of Lines, Hawsers, etc.*—A vessel entering the channel and berthing at wharf or berth shall have in readiness and supply for use, such steel wire or other hawsers or lines of adequate length as may be required for each bow and quarter, and such other ropes, lines and fenders as may be necessary to facilitate berthing or to protect the vessel from damage whilst hauling into the berth.
13. *Vessel to have sufficient number of crew and appliances on board.*—Master or owners of vessel shall employ sufficient number of crew, and keep in readiness such as may be necessary appliances on board for working their vessel in and out of the Port channel and in port and default or whenever necessary, the Deputy Conservator may, at his discretion, employ such number of personnel, and make available such appliances as he may consider necessary at the expenses of the master or the owner.
14. *Anchors to be ready.*—Vessels when entering, leaving or being moved in the port shall have both anchors ready for letting go.
15. *Stowing of Anchors.*—Immediately after vessel shall have been moored in their berths and so long as they shall remain in Port, both anchors shall be properly stowed.
16. *Projection from a vessel's side.*—Vessels when entering, leaving, being moved or lying at alongside berths, shall have their sides free of all projections.
17. *Master's etc. responsibility for accidents.*—Master and owners of the vessels shall be held responsible for all accidents caused by the vessel, including those which may in any way result from failure to adopt any of the precautions specified in these regulations.
18. *Vessel lying outside the channel to be moved.*— A vessel lying at the outer roads near the entrance channel shall be removed by the master or owner if and when required by the Deputy Conservator and such removal shall be effected within one hour on receipt of order of the Deputy Conservator.

Provided that such time limit may be relaxed by the Deputy Conservator in exceptional case after recording in writing the reason for doing so: Provided further that where such removal is not effected promptly within one hour or such further time limit as allowed by the Deputy Conservator, it shall be carried out under the orders and directions of the Deputy Conservator at the risk and expense of the master or owner of such vessel.

19. *Vessels to be upright while berthing or unberthing.*—Vessel shall be upright while berthing at or unberthing from the alongside berths.
20. *Masters etc. to place his vessel into her berth.*— The berth to be occupied by a vessel alongside a wharf shall be decided by the Traffic Manager and the master or owner shall place such vessel in such berth on his own responsibility and a pilot of the board shall normally be put on all vessels to assist in moving them from channel entrances to their appointed berths and vice versa or from one berth to another berth in Port.
21. *Masters, etc., to take all precautions on board to safeguard life or property.*—(1) A vessel in port shall be in the charge of her master and it shall be the duty of the master or owner to see that all gangways are securely placed and that, when not in use, all hatch ways are properly secured and covered in order to safeguard both life and property and that when in use they are properly illuminated as a safeguard against any person from falling;
 - (2) whenever hot work is to be conducted on board any vessel in Port, the prior permission of the Deputy Conservator shall be obtained by the master, owner or steamer agents and during this operation, it shall be the responsibility of the master or owner to see that all precautions are taken for the prevention of fire (by removing all inflammable material from the vicinity, having a fire extinguisher ready and fire hose rigged) and that the operations are supervised by a responsible person.
22. *Mooring, unmooring and moving vessels in Port.*— (1) Masters and owners of vessels and serangs, tindals and other persons in charge of launches, barges, cargo boats or other small craft shall obey the directions of and shall offer no obstruction, to the Deputy Conservator or his assistant in regard to the mooring, unmooring or moving of any vessel in Port.
 - (2) Launches, barges, cargo boats or other small crafts, shall not be moored or allowed to lie alongside the vessels without the permission of the Deputy Conservator who shall employ whatever means may be required, which he may consider reasonable to enforce this regulation.
 - (3) A vessel, except launches, barges, cargo boats or other small craft shall not be required to be moved from her berth without previous intimation as to the mode and time of removal having first been given, and where necessary, the Deputy Conservator shall employ whatever means as required, which he considers reasonable, to enforce his order, and the expenses so incurred shall, without prejudice to any penalty which the master or owner of vessel may be liable, be payable by such master or owner.
 - (4) Master of vessel shall ascertain from the Deputy Conservator the permissible arrival and departure drafts.

23. *Mooring to be done properly.*—Master or owner of the vessel lying at alongside berths shall not permit the ropes or hawsers of their vessel to be made fast to any place or places at these berths other than bollards or other arrangements specially provided for the purpose.
24. *Vessel to be in charge of competent persons.*— During such time a vessel remains in port the master or a responsible Deck Officer not below the rank of 3rd Officer shall be in charge of the vessel and sufficient crew shall always be on board and the officer in charge shall superintend and direct the carrying out of all duties in connection with the vessel or loading or unloading her cargo and in case such officer in charge of a vessel is not a holder of certificate of competency, the master of the vessel shall be responsible for his action.
25. *Quarter-Master or Seaman to be kept on deck.*— A vessel in port shall maintain a Quarter-Master or Seaman always on duty on deck, who shall be stationed in charge of the vessel's or shore gangway and who shall attend to mooring ropes and lines of the vessel and shall cause their adjustment from time to time as necessary especially in the case of vessels moored at tanker berths and in default, the master or owner of the vessel shall be liable for any damage resulting from such default.
26. *Vessels propeller not to be worked.*—(1) While a vessel is berthed at any of the berths in Port, her propeller shall not be moved either by power or hand without the previous written permission of the Deputy Conservator and subject to such conditions as he may direct.
(2) Masters and owners shall be responsible for any damage that may result from the moving of any propeller by power or hand notwithstanding that permission has been obtained under sub-regulation (1).
27. *Anchor or other gear dropped to be recovered.*— Masters and owners of the vessels shall be responsible for the immediate buoying of any anchor or gear that may have been dropped over board from their vessel in Port and shall take steps for the removal from the water of any such anchor or gear with all reasonable dispatch.
28. *Vessel should be properly ballasted.*—Vessels in Port shall be kept so loaded or ballasted that in the event of fire or other emergency arising, they may safely and without danger be removed from their berths.
29. *Repairing vessels.*—(1) A vessel shall not carry out repairs in Port unless a suitable berth is allotted for the express purpose of carrying out repairs.
(2) The owner, master or any person in charge of a vessel shall not allow the commencement of any repairs, involving the use of naked lights, gas-cutting or welding apparatus to or in the vicinity of the fuel storage tanks or the fuel system or involving the entry of any person into any fuel storage tank, of such vessel wherein petroleum may have been deposited, unless such owner, master or other person in charge of the vessel has obtained a Gas Free certificate from the Inspector of Explosives and such owner, master or other person in charge of such vessel shall indemnify the Board for any loss or damage what so ever arising directly or indirectly from any breach of this regulation.
(3) A berth allotted under this regulation shall be vacated as and when required for a vessel desiring to load or unload cargo.
(4) When a vessel is under repairs in the port and if in the course of repairs it becomes necessary to open up any of the over side pipes, such pipes shall be rendered safe by being blanked off and if an over side pipe cannot be blanked off and rendered safe then it shall be opened up and the master or the officer in charge of the vessel and the owner of the vessel shall be held responsible for any accident that may in any way arise from neglect to take these precautions and for all liabilities that may arise as a result of the accident.
(5) Chipping and painting of the ship sides shall not be permitted at the berth or anchorage.
30. *Goods, etc. not to be allowed to fall.*—No cargo, goods, or substances whatsoever shall be thrown or allowed to fall from any vessel, quay or pier in the water within the Port limits and in the event or any such cargo, goods or substances being so thrown or allowed to fall as aforesaid, the person, master, owner, or stevedore in whose charge the cargo goods or substance was at the time shall be responsible and held liable for any loss, damage or clean-up cost which may arise in consequence.
31. *Penalty.*—The master or owner or agent of the vessel who contravenes the provisions of regulation 30 shall be liable to pay a penalty of one lakh rupees in addition to any expense that the Port or any other authorised agency may incur in making good the loss, damage or the clean-up.
32. *Compliance with International Convention for the prevention of Pollution from Ships (MARPOL) Regulations.*—All vessels shall comply with relevant regulations contained in Annexure I to VI of the International Convention for the prevention of Pollution from Ships (MARPOL).

33. *Access to vessels.*—Safe and approved means of access to the vessel shall be ensured by the Master including adequate lighting and safety nets.
34. *Fire arms.*—Loaded guns or loaded fire arms shall not be kept or allowed on board any vessel while lying in port except in an authorised manner.
35. *Master etc. of vessels responsible for damage.*—Masters and owners of vessels and their agents shall be held liable for any damage whatsoever that shall have been caused by their vessel or servants, to any of the works or property of the Board and the Board may detain their vessels until compensation claimed by the Board is paid or security has been given for the amount of damage caused.
36. *Vessels lie at risk of Master etc.*—All vessels in the Port shall lie at the risk of their masters or owners, and such masters or owners shall be held responsible for any loss or damage that may arise in consequence of their faulty navigation or by reason of their breaking adrift from their berths or anchors.
37. *Master's etc. responsibility for acts of crew etc.*—Masters and owners of vessels shall be held liable and responsible for the acts of the crew and of any person or persons that shall be employed about or on board their vessels.
38. *Board not liable for delay, etc.*—The Board shall not be liable in respect of any detention or delay to vessels, entering, remaining in, or going out of the port or in their progress from one berth to another within the port or for detention or delay in the discharge or loading of cargoes from or into vessels, or for dead-freight, delay in the loading and unloading of goods owing to a glut of vessels or goods or other circumstances beyond their control, or of a stoppage in the delivery of goods, or from any other cause whatsoever.
39. *Master of vessels to report, immediately, out-break of fire, explosion, leak or collision.*—(1) In the event of any fire or explosion occurring on board any vessel which is in the Port whether in cargo holds or bunkers or any other place or if such vessel springs leak or suffers a collision, the master of the vessel shall immediately report the occurrence to the Deputy Conservator by the quickest available means and if this report is made on Very High Frequency (VHF), a written report shall follow as soon as possible.
- (2) The Port shall have the right to take such steps as it may consider necessary to extinguish fires in the Port and its premises including ships in the Port.
- (3) The owner of the vessel in which the fire has occurred or the owner of the goods or articles involved shall pay all charges incurred to extinguish the fire.
- (4) In the event of a fire or emergency, alarm may be raised by Very High Frequency or Ship's Whistle or Telephone, which shall be notified by the Deputy Conservator from time to time.
40. *Under water repairs.*—No diving operation shall be undertaken without the prior permission of the Deputy Conservator.
41. *The sinking of any boat in the Port to be reported.*—Sinking of any boat in the Port and the fact of such sinking and the place where it occurred shall be reported to the Deputy Conservator.
42. *Lighters, boats and other craft to be beached only at places assigned.*—No lighters, boats or other craft shall be brought ashore or beached for purposes of repair, except at such places, as may be assigned by the Deputy Conservator for the purpose.
43. *Boat and other craft not to make fast to quays, wharves or landing places.*—No boats, lighters, or other crafts shall be permitted to lie alongside or make fast to the quays, wharves or landing place, except when loading or unloading or for the purpose of taking off or land in passengers or baggage, without permission of the Port.

IV. Regulations in respect of quays and sheds, loading and unloading of vessels and receipts, delivery and shipment of goods.

44. *Cargo work in the Port under the Traffic Manager.*—(1) The loading and unloading of vessels in the Port shall be subjected to the overall control of the Traffic Manager.
- (2) The stacking or storage of cargo within the bonded area shall be regulated by the Traffic Manager.
- (3) The use of quay space by cargo shall similarly be regulated by the Traffic Manager.

45. *Allocation of cranes or cargo handling equipments.*—The allocation of cranes or cargo handling equipments shall be normally in the order of the receipt of the requisition, provided Traffic Manager may, at his discretion, order the allocation of the cranes or cargo handling equipments in a manner that will ensure the best use of the cranes or cargo handling equipments in the general interest of ship's work and other deliveries generally.
46. *Vessel to be moored before working cargo.*— Goods shall not be loaded or unloaded from a vessel in the Port until that vessel shall have been moored at her appointed berth.
47. *Production of vessel's papers, cargo details etc.*— The masters, owners and agents of vessels before berthing or commencement of cargo handling operation shall submit Import General Manifest or Shipping Bill for import or export and such other documents including stowage details, to the Traffic Manager.
48. *Loading and unloading of cargoes likely to foul wharves.*—(1) Goods of a nature likely to foul the wharves or transit sheds in any manner whatsoever or to cause damage to other goods may be discharged from a vessel on to the wharf only with the permission of the Traffic Manager and subject to the owner or consignee of the goods undertaking to pay to the Board the expenses incurred by the Board for cleaning the wharf or transit shed.
- (2) Where discharge or loading in bulk of oils are to be effected, the oils shall be transported in approved tank wagons, tanker lorries or tank barges and pumped directly to or from the vessel's tanks and this shall not be applicable for Class-A and B petroleum products.
49. *Shifting of vessels from their berths.*—The Traffic Manager or Deputy Conservator may direct any vessel to move from any berth to any other vacant berth for adequate reasons and the Board shall not be responsible for any delay which may be caused due to a vessel shifted under this regulation.
50. *Vessel overlapping or double banked.*—Vessel occupying quay-side berths shall give such facilities for loading and unloading Cargo to and from vessel occupying outside berths as the Traffic Manager may consider reasonable, and the Board shall not be responsible for any delay or demurrage that may occur, by reason of overlapping or double banking of vessel, to the over side loading or unloading of such vessel.
51. *Discharge of a vessel's cargo to be under the supervision of master, etc. or stevedore and their liabilities.*—(1) Cargo shall not be discharged, loaded or shifted in any vessel in the Port except under the direction and supervision of the master or owner of the vessel or of a stevedore licensed by the Board to perform such work in the Port.
- (2) The handling of cargo from or to the vessel shall be governed by any regulation in force relating to the Stevedoring activities.
- (3) The owner of the vessel or stevedore shall be liable in respect of any loss or damage arising either to property or person from the handling of goods on board such vessel.
52. *Masters, etc., and stevedores working cargoes to provide proper lights on board.*—Master and owners of vessel and the stevedores working the cargoes of such vessels shall be jointly and severally responsible for the proper provision of lights in all those parts of vessels, where work is being carried on or is in any way connected, directly or indirectly with the use of the Board's cranes, quays, piers or other property. In default, they shall, jointly and severally, be liable in respect of any loss or damage to life, lump or property that may result.
53. *Making up on slings and cranes not to be used under vessel's coamings.*— Slings of import goods shall be made up directly under the open hatchway of any vessel unloading and in no circumstances, whatsoever, shall the Board's cranes be employed for the purpose of breaking out or removing goods from under the coamings.
54. *Use of vessel winches.*—(1) Master and owners of vessel employing their own cranes or winches for the loading or unloading of goods shall do so at their own risk and responsibility in respect of any loss or damage to goods, property or person arising from any cause whatsoever.
- (2) The ship's officers shall ensure that the Port cranes work quite clear of the ship's gear.
55. *Discharge or loading of heavy package.*— Discharge or loading of heavy packages or cargo shall be subject to approvals based on the load density of the wharf.
56. *Discharge of hazardous and fragile goods.*— Discharge of hazardous and fragile goods shall be governed by the common practice of safe handling for such cargoes.
57. *Supply of labour by the Board for working goods.*—(1) The Board may provide the necessary labour for loading or unloading or export or import of goods and goods for transshipment at the alongside berths, provided the Board shall not be responsible for any loss or damage arising as a consequence of insufficient supply of labour.
- (2) The Board may permit owners of cargoes or their agents to undertake the landing or shipment of goods from and on vessel, subject to such conditions as may be prescribed by the Board from time to time.

58. *Storage and shipment of export goods.*—(1) Goods brought into the Port sheds or premises at the wharves for shipment shall remain in the custody of and at the sole risk and responsibility of the owners, shippers or the agents as the case may be; the Board does not assume any custody of or responsibility for such goods. Goods for shipment shall be received in the sheds or in the open spaces at the wharves, only under the orders of the Traffic Manager subject to compliance of the customs formalities in force. They shall be stored at such places as directed by him and shall under no circumstances be allowed to obstruct the traffic at the wharves.

(2) Goods for shipment shall not be loaded onboard any vessel in the Port, unless the customs export shipping bill with the “let export” order or the reshipment application duly passed by the Customs Department has been produced; and the shipper of the goods produces the necessary receipt for the charges due to the Board on the said goods.

59. *Responsibility for import goods.*—(1) The Board shall not take charge of or be responsible for any import goods unless discharged on to the quay side or tendered alongside the quay after being boated from the stream and discharged thence on to the quay:

Provided, that no responsibility shall attach to the Board after the expiry of free period as specified in the Scale of Rates of the Board from the date of taking charge of such goods by the Board:

(2) The responsibility of the Board for the condition or safe custody of goods imported shall not commence until such goods have been received into the charge of Traffic Manager.

(3) The Board shall not be answerable or liable for deficiencies of merchandise caused by natural or unavoidable reasons.

(4) Subject to the provision of regulation 62, the Board shall not be answerable or liable for any losses or deficiencies whatever, unless ascertained, pointed out to and acknowledged by the Traffic Manager prior to the removal of the goods from the premises.

(5) Import goods unloaded from vessel alongside (except in cases of special arrangements where the landing and delivery of goods is undertaken by the owners of vessels) may be received charge of on the quay by the Traffic Manager who may undertake their proper stacking either on the quays or in the sheds and may hold such goods for delivery to the proper owner.

(6) Remarks shall be passed on all goods landed from any vessel in an apparently broken, chafed or damaged condition and for all such goods, the Board shall not accept or admit any responsibility whatsoever.

60. *Responsibility only for quantity of goods received.*—The Board shall accept responsibility in respect of import goods only for the number of articles or packages acknowledged and signed for by the Traffic Manager in the receipts granted for such import goods to the master, owner or agents of the vessel.

61. *Issue of receipt and remark list.*—The Traffic Manager shall furnish receipts in the form ‘Tally Report’ at Appendix “A” to masters, owners or steamer agents of vessels in respect of all goods landed at the Willingdon Island wharves of which the Board assumes custody not later than the end of the fourth working day following the date of landing and in respect of goods landed in a damaged or defective condition, the same shall be reflected in such ‘Tally Report’.

62. *Responsibility for lost or damaged goods.*—(1) The Board shall not be in any way responsible for the loss, destruction or deterioration of, or damage to goods, of which it has taken charge unless notices of such loss or damage has been given within the free period as specified in the Scale of Rates of the Board from the date of taking charge of such goods by the Board under sub-section (2) of section 42 of the Act and no responsibility shall attach to the Board after the expiry of such free period from the day of taking charge of such goods by the Board.

(2) The Board shall not be responsible for the import goods which have been opened for customs examination and such goods shall lie in the Board’s premises at the entire risk of the owner thereof unless notice of loss or damage has been given before taking over the goods for customs examination and such notice must be served within the free period as specified in the Scale of Rates.

(3) The Board shall accept no responsibility whatsoever for loss of or damage to import or transhipped goods unless notice of loss or of the damage alleged shall have been received prior to the delivery or transhipment of such goods or the expiry of the period mentioned under sub-regulation (1) whichever is earlier.

63. *Delivery of goods.*—(1) The goods landed at the wharf berths and received charge of by the Traffic Manager shall be delivered only on production of a delivery order addressed to the Traffic Manager issued by the steamer agents of the vessel discharging such goods.
- (2) The delivery of goods to the owners or their representatives will be affected on payment of Port charges and compliance with the customs formalities, including production of Bill of Entry and Out of Charge documents.
- (3) Goods received shall be duly acknowledged by the authorised person taking such delivery of goods.
- (4) Goods loaded into railway wagons, lorries or such other conveyances in the process of clearance from the wharf premises, but not removed from the wharf, shall lie at the risk of the owner thereof.
64. *Detention of goods for freight etc.*—Goods landed from a vessel and given into the custody of the Board shall be detained for freight or other charges payable to the owner of the vessel on receipt of due notice in writing from the master or owner of the vessel or his agents and such goods shall be retained either in the warehouse or sheds or other premises of the Board as the case may be at the risk and expense of the owners of the said goods Until the lien shall have been discharged:
- Provided that, no such responsibility shall be taken by the Board for the goods discharged over-side the ship.
65. *Opening of packages by the owners.*— No packages shall be opened for appraisement or examination without the appraisement ticket issued by the Traffic Manager in compliance of the customs formalities.
66. *Packages opened at owner's risk.*— Goods opened by order of the Customs Department for examination for appraisement, or for survey at the request of the steamer agents or of the owners of the goods shall lie and remain at the risk of the owner thereof.
67. *Removal of goods not shipped by parties from wharf etc.*— Goods which have not been shipped shall not be removed from the quays, roads or sheds unless covered by an endorsement on the Shipping Bill to the effect of the goods being shut-out by the Customs.
68. *Handling of International Maritime Organization Class I cargo(Explosives).*—(1) The handling of International Maritime Organization Class-I Cargo shall be governed by the provisions of the Standard Operating Procedure as amended from time to time and approved by the Chief Controller of Explosives and shall conform to the International Maritime Dangerous Goods Code.
- (2) The movement of vessels carrying International Maritime Organization Class-I Cargo shall be restricted to day light hours.
- (3) No storage of International Maritime Organization Class-I Cargo shall be permitted in the Port premises.
- (4) The Port shall have no liability or responsibility whatsoever, in respect of any such packages handled otherwise than in strict conformity with this regulation.
69. *Berthing of naval vessels having explosives onboard.*— Ammunition carried on board warships berthed alongside, shall be entirely at the risk and responsibility of such ships. Handling of ammunition by warships shall be permitted only in exceptional circumstances with the permission of the Chairman.
70. *Warships not to carry out repairs while at berth.*— No warship carrying ammunition shall be allowed to undertake any repairs while berthed alongside.
71. *Handling of hazardous cargo.*— (1) Landing or loading of hazardous cargo shall conform to the provisions of International Maritime Dangerous Goods Code.
- (2) Information regarding shipment of hazardous cargo shall be provided to the Port seven days in advance.
- (3) Storage of hazardous cargo shall be confined to the designated area only.
- (4) the goods referred to above shall be carefully packed, marked and labelled in conformity with the direction laid down in the International Maritime Dangerous Goods Code.
- (5) The master, owner or agent of vessel carrying hazardous goods in transit, but not for discharge, shall obtain the prior permission of the Deputy Conservator before entering the Port, furnishing all details of such goods and their storage.

V. Petroleum Vessels and Bunkering of Vessels

72. *Petroleum vessels.*— (1) All vessels carrying liquid petroleum in bulk shall observe all the precautions and practices as given in the International Oil Tanker and Terminal Safety Guide published by the Oil Companies International Marine Forum, as amended from time to time.
- (2) The master of every vessel carrying petroleum class 'A' or petroleum class 'B' or class 'C' shall hoist Flag 'B' of the International Code of Signals and shall during the day keep such flag flying and during the night exhibit a red light visible all round where it can best be seen.
 - (3) Every harbour craft carrying petroleum shall exhibit, during the day, a large square red flag in such a position as may be visible all round and during the night a red light visible all around.
 - (4) Vessels carrying petroleum in bulk shall normally be berthed at the berths designated for handling petroleum in bulk.
 - (5) No vessel carrying petroleum in bulk as cargo shall be berthed at any berth other than tanker berth or be allowed to enter the Dry Dock until her master produces the Gas Free Certificate.
 - (6) Other precautions to be followed by a vessel carrying petroleum in bulk are—
 - (a) no harbour craft containing Petroleum Class 'A' shall cast off in such manner as may involve risk of collision when other vessels are manoeuvring in the vicinity;
 - (b) the master or any other person for the time being in charge of any vessel having petroleum on board shall take effective measures for preventing the escape of petroleum from the vessel by leaking or otherwise;
 - (c) no vessel shall approach within fifty meters of any vessel discharging dangerous petroleum in bulk in the port of Cochin except with the previous permission of the Deputy Conservator obtained in writing and in conformity with any direction that may be issued by him on that behalf. This rule shall not apply to vessels with a pilot on board;
 - (d) the Barges used for bunkering vessels in the port shall be seaworthy, manned, equipped and employed in accordance with the Inland Vessels Act, 1917 (1 of 1917) or Merchant Shipping Act, 1958 (44 of 1958) and the Petroleum Rules, 2002 as amended from time to time. Responsible deck and engine room officers of the ship shall supervise the operation and shall take all necessary safety precautions on board the vessel receiving oil bunkers;
 - (e) Hard arms or armoured hoses shall be used to connect the manifolds on board to the pipeline ashore and all the connections shall be made completely leak proof and mechanically and electrically continuous before the discharge or loading of Petroleum in bulk is commenced;
 - (f) all pipes and other appliances used in loading and discharging of petroleum in bulk shall be free of leakage;
 - (g) the owner, agent or master of the bulk oil vessel shall take all due precautions for the prevention of accident by fire or spillage whilst loading or discharging petroleum in bulk;
 - (h) the owner, agent or master of the bulk oil vessel shall take adequate steps to prevent any person under his control from smoking at or near the place where petroleum in bulk is being landed or loaded and to prevent any person engaged in such loading and discharging from carrying, fuses, matches or any appliances whatsoever for producing ignition;
 - (i) Iron or steel hammers or other instruments capable of causing a spark shall not be used for the purpose of opening or closing the hatches or tank lids of a petroleum ship, or for chipping of iron rust or paint, in the vicinity;
 - (j) during the time any bulk vessel is in the Port a responsible officer and engineer of the vessel must always be on board, night and day to carry out and give effect to the provisions of these Regulations. In the absence of the master, the senior deck officer on board shall be the responsible officer. When loading or discharging is in progress or about to be started, it is absolutely essential that the master or chief officer and either the chief engineer or the second engineer must be on board and see that every necessary precaution is taken for the safety of the vessel and her cargo and during all such time the engines and machinery shall be maintained in working order so that the vessel may be moved as soon as ready, if so required by the Deputy Conservator of the Port;
 - (k) throughout the period that petroleum is being landed or loaded, the pipelines and other fitments on the oil jetty shall be under constant supervision of a responsible officer of the Port fire service.

73. *Bulk oil vessel discharging and loading petroleum at the Port of Cochin.*— (1) Petroleum class ‘A’ in bulk shall be loaded or discharged only at the berths designated for handling Petroleum in bulk.
- (2) The owner, agent or master, of the bulk oil vessel shall take adequate steps to prevent any person under his control from smoking at or near the place where petroleum Class ‘A’ is being landed or loaded and to prevent any person engaged in such landing or loading from carrying fuses, matches or any appliances (including mobile phones) whatsoever for producing ignition.
- (3) The following precautions shall be taken while loading and discharging, namely:—
- (a) Hard arms or armoured hoses shall be used to connect the manifold on board to the pipeline ashore and all the connections shall be made completely leak proof mechanically and rendered electrically continuous before the discharge or loading of Petroleum in bulk is commenced;
- (b) all pipes and other appliances used in the landing and loading of petroleum Class ‘A’ in bulk shall be free from leakage;
- (4) The Chief Inspector of Explosives may by written order grant exemption in any particular case from the provisions of clause (a) and (b) of sub-regulation (3) if he is satisfied with any means, other than hard arm or armoured hose which will ensure a leak proof and electrically continuous system.
- (5) No petroleum class ‘A’ shall be discharged or allowed to escape into the waters of the Port.
- (6) The following precautions against fire shall be taken—
- (a) the owner, agent or master of a bulk oil vessel shall take all due precautions for the prevention of accident by fire in landing or loading petroleum class ‘A’;
- (b) all equipment used in the vicinity while landing or loading petroleum class ‘A’ shall be intrinsically safe; and
- (c) throughout the period that petroleum class ‘A’ in bulk is being landed or loaded the pipelines and other fitments on the oil jetty shall be under constant supervision of a responsible officer of the Port fire service.
74. *Distance between Petroleum vessels.*— Two or more petroleum ships shall not, except for purpose of transhipment, lie within thirty meters of one another unless in the opinion of the Deputy Conservator of the Port it is impracticable to maintain such distance.
75. *Responsible officer to be on board.*— (1) During the time any bulk vessel is in the Port, a responsible officer and engineer of the vessel must always be on board, night and day, to carry out and give effect to the provision of these regulations and in the absence of the master, the senior Deck Officer on board shall be the responsible officer.
- (2) When loading or discharging is in progress or about to start, it is absolutely essential that the master or Chief officer and either the chief or the Second Engineer must be on board and see that every necessary precaution is taken for the safety of the vessel and her cargo and during all such time the engines, boilers, and machinery shall be maintained in working order so that the vessel may be moved as soon as ready, if so required by the Deputy Conservator of the Port.
76. *Other precautions.*— (1) Every vessel having petroleum other than Fuel Oil on board as cargo, whilst moored in the port, shall keep the end of a wire hawser having an eye, laid out to the water’s edge at the bow and stern to enable a tug to take hold in case of emergency.
- (2) Every vessel having petroleum other than fuel oil on board as cargo when discharging or loading or while hatches are open shall have her all fire hoses connected and all fire extinguishing appliances ready for immediate use, and if the Petroleum being loaded or discharged or stowed in the holds is petroleum class ‘A’ all signals shall be displayed.
77. *Packed petroleum and its products.*— (1) Packed petroleum and its products shall be landed only at jetties provided for the purpose or in barges or lighters and only at such places as the Deputy Conservator of the Port may direct.

(2) Any commodity which (by virtue of its composition and property) is capable of being classified under the categories of dangerous petroleum and its product or other inflammable liquids flashing below 23 degrees centigrade, shall be dealt as follows:—

- (a) Steamer agents of vessels having packed petroleum and its products for discharge at the Port shall advise in writing, the Deputy Conservator of the Port and the Traffic Manager of the Port at least forty eight hours in advance of the vessel's expected date of arrival and similar notice shall be given both by the shippers and the steamer agents in the case of consignments for shipment;
- (b) landing and shipment of packed petroleum *and its products*, shall conform to the regulations if any, made on the subject;
- (c) all packed petroleum landed or to be loaded shall not be stored inside the wharf premises;
- (d) no imported petroleum or its products shall be landed except with the permission of the Deputy Conservator of the Port and the Commissioner of Customs and no petroleum or its products shall be shipped by vessels or loaded into lighters for shipment without the prior permission of the Deputy Conservator;
- (e) specific written permission of the Traffic Manager shall also be obtained before packed petroleum and its product are discharged at or brought for shipment to the Willington Island wharves;
- (f) petroleum and its products shall be carried in receptacles in accordance with the provisions of the Petroleum Rules, 2002, as amended from time to time;
- (g) vessels shall not normally load or discharge packed petroleum and its products except between the hours of sunrise and sunset and in exceptional case; discharging or loading may be permitted with the prior written permission of the Deputy Conservator or Traffic Manager, as the case may be, under the conditions laid down in the said permission;
- (h) an officer serving on board the vessel who holds a certificate of competency, not lower than that of second mate, shall be on duty at the hatch from which any petroleum and its product are being discharged or into which they are being shipped, until the discharge or shipments is completed;
- (i) on shore, the operations shall be conducted under the immediate supervision of an officer of the port not lower in rank than an Assistant Wharf Superintendent;
- (j) no fire, naked light of any description, and no smoking shall be allowed while handling petroleum or its products;
- (k) no inflammable cargo other than packed petroleum or other petroleum products shall be landed or shipped at the same time;
- (l) no person engaged in handling or loading petroleum or its products shall carry fuses, matches or any other appliance, including mobile phones, capable of producing ignition or explosion;
- (m) adequate fire fighting arrangements in compliance with Oil Industry Safety Directorate (OISD) 156 shall be in place while handling petroleum and its products;
- (n) during the loading or discharge of packed petroleum and its product at any hatch, no other cargo shall be handled at the hatch;
- (o) when petroleum class 'A' is being loaded into or discharged from a vessel no other cargo should be loaded into or discharged from such vessel;
- (p) no petroleum class 'A' shall be in actual transit in the harbour between sunset and sunrise otherwise than in railway wagon, that is, such petroleum should not be handled in any way at night nor lie afloat in harbour craft in the port, at night;
- (q) no harbour craft containing petroleum class 'A' shall be in transit in deep channels used by seagoing vessels either in Ernakulam Channel anywhere near a vessel entering or leaving the port or shifting from one berth to another inside the port.

78. *Prevention of escape of petroleum.*—All due precautions shall be taken at all times to prevent any escape of Petroleum during transport especially into any drain, sewer, harbour, river or water course.

79. *Master Etc. of petroleum vessel responsible for damage.*—The master, owner and agent of a petroleum vessel shall be liable for any damage whatsoever caused to cargo or property belonging to the Board.

80. *Bunkering of vessel with liquid fuel.*—Bunkering of vessel with liquid fuel at the quays by means of the service pipe lines or at any of the berths in port by bunker barges may be permitted, as per the Standard Operating Procedure which shall be laid down by the Deputy Conservator, from time to time and in addition, the following conditions shall also be fulfilled, namely:—
- (i) during all such times as any vessel is receiving liquid fuel into her bunkers, the master or first mate of such vessel shall be present on board and it shall be incumbent upon him to see that these regulations are complied with and that all responsible precautions for safety are observed;
 - (ii) a ship's officer shall be on watch and an attendant of the supplier of the liquid fuel for bunkers shall be stationed alongside the flexible connecting pipe while bunkering is in progress;
 - (iii) suppliers of liquid fuel shall be responsible for seeing that all flexible pipes used for bunkering vessel are tested to a pressure of 7kgs/cm² before operations commences and that all joints are leak proof and suppliers of liquid fuel for bunkers shall be liable for any damage whatsoever caused to cargo or property belonging to the Port, by any leakage of fuel oil or other causes;
 - (iv) the masters and owners or the agents of the vessel receiving such fuel shall also be liable for any such damage if caused by negligence or defect or failure of apparatus or appliances belonging to the vessel;
 - (v) no cargo other than goods, unaffected by oil, shall be allowed on the wharf within fifteen meters of the oil stand pipes and shed doors immediately behind them shall be kept closed while bunkering is in progress;
 - (vi) before bunkering commences through the service pipe lines on the quays the attendant shall see that the communications with the bunker supplier is in working order;
 - (vii) an attendant shall be on duty at the pump throughout the time of bunkering;
 - (viii) at least two hours notice in writing shall be given to the Deputy Conservator before bunkering is commenced;
 - (ix) no bunkering shall be commenced unless the Port's Chief Fire Officer is satisfied that all necessary precautions have been taken;
 - (x) no smoking, cooking or naked lights shall be allowed on the vessel's decks while bunkering is in progress;
 - (xi) a suitable gutter, drip tray or other contrivance shall be placed under the connecting service pipe to prevent any oil from dropping on the wharf or into the water.

VI. Miscellaneous

81. *Quays etc., to be under the authority of the Traffic Manager.*— The quays, sheds, gates and the land within the wharf premises shall be in the charge of the Traffic Manager who shall direct and manage all operations connected with the landing and shipping of goods, and with their storage in the sheds and in the open and he shall have proper custody of all goods lying in the wharf premises whose custody the Board assumes and take whatever steps he may consider necessary for the proper maintenance of order.
82. *Public excluded from the Port premises except on business.*—(1) Admission to the Port's berths, Customs bonded areas, Container Freight Station and such other areas as the Board may direct from time to time in this behalf, shall be regulated by means of passes which shall, on application, be issued by the authority of the Chairman, to such of the public as have business to transact within the premises connected with the purpose, services or work of the Port:
- Provided that Customs Officers and other authorised Government officials on duty will be allowed inside these premises on the strength of Photo Identity Cards issued to them by the Customs or respective Departments.
- (2) The access control (entry or exit) of personnel to and from Port's berths, Customs bonded areas, Container Freight Station and such other areas as the Board may direct from time to time, shall be under the overall authority and control of the Traffic Manager.
83. *Issue of Transaction Licence.*— (1) Transaction license shall be issued by the Traffic Manager for the purpose of transacting business on behalf of Customs Brokers having valid Customs Licence such as to make delivery of cargo to, and to take delivery of cargo from the Port's wharves and docks.
- (2) The license shall be valid for three years or till the end of the third calendar year whichever is earlier and shall be renewable every three years.

- (3) The charges for the issue of such licenses shall be as per the rates provided in the Port's Scale of Rates.
- (4) Notwithstanding anything contained in regulation (1), a Temporary Licence may be issued on an application made to the Traffic Manager on payment of fees as prescribed in the Port's Scale of Rates and it shall be valid for such period, as may be decided by the Traffic Manager.
- (5) The Traffic Manager shall lay down a Standard Operating Procedure relating to the grant of access to the Port's berths, Customs bonded areas, Container Freight Station and such other operational areas.
84. *Trespass.*—(1) Any person found in the Board's premises referred to in regulations 81 and 82, without being in possession of a pass or photo identity card as stated in the said regulation, shall be deemed to be a trespasser and liable for prosecution.
- (2) The possession of the pass entitles the holder to obtain admission to and remain in the harbour premises for purpose of transacting the particular business; and any person loitering elsewhere than the place where the business is transacted shall be deemed to be a trespasser although he may be in possession of such a pass.
- (3) If any person is found trespassing without lawfull excuse in the Board's premises referred to aobve or found to be misusing the pass in any way, he shall, without prejudice to any penalty to which he may be liable, be also liable to cancellation of such passes:
- Provided that when any definite part of the port premises have been from time to time thrown open by the Port without restriction, for the public, the presence therein of persons not having Port business to transact shall not be trespass.
85. *Undesirable.*—(1) Any person, even if in possession of a pass shall be liable to exclution and to forfeiture of his pass, if his conduct within the Board's premises or any part of the port premises thrown open by the port, from time to time, with or without restriction to public, has been proved to have been disorderly or to be an undesirable person.
- (2) Any person who is reported by the police to be known depredator, or by the customs authorities as being a smuggler, or who is known to suffer from contagious disease likely to be communicated to others by contact or who is proved guilty of preying on passengers and trade or of annoying them may be excluded from the above premises without reasons being assigned and his pass seized.
86. *Ships officers and crew and passengers in transit.*— The passage of the officers, crew and passengers or vessels in the Port, through the Port's premises, shall not be deemed to be trespass.
87. *Admission of visitors.*— Visitors may be permitted to enter the Port's premises on obtaining passes issued by the Port:
- Provided that the possession of such a permit only entitles the holder to obtain admission upto the customs barrier or such areas, as may be expressly permitted by the Traffic Manager.
88. *Onus of Proof.*— The onus of proof that their business on the Board's premises is lawful shall lie on the person concerned.
89. *Motor vehicles in Port premises.*—Motor vehicle in Port premises shall be driven with the utmost caution having regard to the traffic and shall also comply with the following other conditions, namely:—
- (i) such motor vehicle shall conform in all respects to the provision of the Motor Vehicles Act, 1988 and the rules made thereunder;
 - (ii) such motor vehicle shall not be left unattended;
 - (iii) such motor vehicles shall ordinarily traverse the recognised roads in the port, but may be permitted on the quays, in transit sheds and open storage space, for the purpose of being loaded and unloaded subject to control by the Port;
 - (iv) such motor vehicle carrying goods when entering or leaving the Board's premises at the wharves shall stop at the gates until permission to pass has been obtained from the Port Trust or Customs officers or security personnel on duty at the gate and the driver there of shall on demand produce for inspection such documents as are required for the checking of goods carried therein;
 - (v) motor vehicles for the Conveyance of persons and their personal luggage (if any) when entering or leaving the Board's premises at the wharves shall stop at the gates until permission to pass has been obtained from the Port Trust or Customs Officers or Police or security personnel on duty at the gate;

- (vi) no such motor vehicle shall be allowed to remain within the Board's premises at the wharves longer than as shall, in the opinion of the Traffic Manager, be necessary for the purpose of loading or unloading goods;
 - (vii) loitering and plying for hire is prohibited;
 - (viii) no such motor vehicles shall fill their tanks with petrol or other fuel within the Board's premises at the wharves without a special permit from the Traffic Manager.
90. *Permission to take photographs or videography in the Port.*—No person shall take photographs of the port or any portion of it without the previous written permission of the Chairman or of an officer authorized by him in this behalf; provided that when such permission has been granted the photographs or videography shall be taken according to the directions and subject to the conditions.
91. *Working hours.*—The working hours for the purpose of landing and shipping of cargo and for other work like delivery of import and receiving of export cargo shall be as fixed by the Port from time to time.
92. *Refund of charges.*—(1) Claim for refund of any toll, dues, rent, rate or charge levied under the Major Port Trust Act, 1963, must be preferred in writing within six months either from the date when such toll, dues, rent, rate or charge shall have been paid, or from the date on which credit therefore was given and the claim shall be accompanied by all supporting documents.
- (2) A claim not accompanied by the supporting documents shall be rejected by the Authorised Officer:
- Provided that where the Authorised Officer is satisfied that a party is prevented by sufficient cause from presenting such documents, he may, at his discretion, grant such, further time, as it may consider proper, for the production of such documents.
- (3) No claim for refund of a sum less than rupees one hundred whether made separately or in conjunction with other claims, shall in any circumstance be entertained unless such claim arises from an error on the part of an employee of the Board.
93. *Entry or Removal of vehicles, equipments, tools, appliances or any other items.*—No vehicles or equipments or tools or appliances or any other items shall be allowed to enter into or be removed from the Port's berths, customs bonded areas, Container Freight Station and such other areas as the Board may direct from time to time, without the permission of the Traffic Manager and these vehicles or equipments or tools-appliances or any other items which are not immediately taken out of the Port's premises shall be liable to removal by the Port at the risk and expense of the owners of the vehicles.
94. *Destruction or damage to any of the Board's property.*— (1) Any person who,—
- (i) cuts, defaces or injures any mooring, rope, chain, life buoy, life line or life saving appliances or any buoy rope or cable, or any appliance essential for the shipping operations; or
 - (ii) vandalises or destroys, any of the works or property of the Board shall, without prejudice to any penalty to which he may be liable, be required to pay the amount of damage, repair and recovery.
- (2) action shall be taken to prosecute the person referred to in sub-regulation (1) under the Prevention of Damage to Public Property Act, 1984 (3 of 1984) or under any other applicable law for the time in force relating to destruction of public property.
95. *Dumping of Waste.*—(1) No person shall dump, deposit, abandon or cause or assist to dump, deposit or abandon any kind of waste or pollutants on the land, property or water or air of the Cochin Port Trust or in public place within the Port area or limit.
- (2) Any person who contravenes sub-regulation (1) or any order made thereunder shall be punishable with fine which may extend to two thousand rupees and where the contravention or breach is continuous, with further fine which may extend upto five hundred rupees per day of such continued offence and also liable to pay the cost of rupees ten thousand towards the damages caused to the Port property, environment and human life or as determined by the Chairman, whichever is higher.
96. *Obstructing officers.*—Any person who molests, assaults, resists, hinders, obstructs, impedes or interrupts or attempts to molest, assault, resist, hinder, obstruct, impede, or interrupt any employee of the Board in the execution of his duty, or disobey his lawful orders, or use abusive or offensive language or aid or incite others to do so, shall be deemed undesirable and his pass shall be confiscated forthwith and he shall be liable for such other action as the Port may deem appropriate.

97. *Issue of Port clearance.*—(1) An application for Port clearance must be made to the Deputy Conservator sufficiently in advance by the master, owner or agent in respect of every vessel desiring to leave the Port and the Deputy Conservator shall thereupon grant Port clearance to such vessel:

Provided, that, if it becomes necessary to detain a vessel in Port on account of non-payment of charges due to the Board by the vessel, or for any other reason, the Deputy Conservator may for adequate reasons, refuse to issue a clearance certificate or to allow the vessel to leave the Port until the charges due to the Board are paid or secured or the other reasons for which the vessel is detained, have been dealt with, to the satisfaction of the Deputy Conservator and, if clearance shall already have been issued the Deputy Conservator may, for adequate reasons, cancel the same in cases similar to those cited above and inform the applicant accordingly and refuse to allow the vessel to leave the Port until such times as a fresh clearance certificate is issued after the charges due to the Board are paid or secured or the other reasons for which the vessel is detained, have been dealt with, to the satisfaction of the Deputy Conservator.

- (2) The Customs Department will not grant a Port clearance until a clearance certificate duly issued by the Deputy Conservator is produced.

98. *Smoking etc.*—Smoking and the use of any unprotected fire or light in any shed, warehouse, pier or quay within the Port is strictly prohibited and no person shall smoke or ignite matches or other inflammable articles or exhibit naked lights on any quay or on board or in the vicinity of any vessel except in such places as may be allotted for the purpose.
99. *Accessibility of vessels to Port and Police officials.*—Vessels in the Port and all parts thereof shall be held and made free and accessible to Port and Police officials for inspection purposes whenever demanded and no person shall disobey, any order of any police officer or members of the security department or fire service.
100. *Board not responsible for loss or damage to goods under certain circumstances.*—The board shall not be responsible for loss or damage to goods, caused by fire, water used in extinguishing fire, vermin, other unavoidable cause or circumstances beyond their control.
101. *Board not bound to find storage space for goods.*—The Board shall have the right not to accept any goods damaged during transit etc. and goods, the storage of which shall affect the interest of the Port in any manner for storage either in their godown or in the open and hazardous or poisonous or inflammable cargo shall be permitted to be stored only at places earmarked for such purpose.
102. *Penalty.*—The penalty for breach of any of these regulations shall be ten thousand rupees and when the breach is a continuing one, a further fine which may extend to five thousand rupees for every day after the first during which such breach continues; except where such penalties have been specifically provided for in these regulations.
103. *Interpretation.*—If any question arises regarding the interpretation of these regulations, the matter shall be referred to the Board who shall decide the same.

APPENDIX A

COCHIN PORT TRUST
WILLINGDON ISLAND, COCHIN-682 009
ISO 9001:2015 PORT

TALLY REPORT

| VC N | Vessel | IGM No. | Line No. | Sub Line | Marks & Nos. | Manifested pkgs | Manifested Tot Wt. | Tally Completed pkgs | Tally Completed Tot Wt. | Balance pkgs | Balance Total Wt. |
|---------|--------|------------|-------------|-------------|-----------------|--------------------|-----------------------|-------------------------|----------------------------|-----------------|-------------------------|
| | | | | | Grand Total: | | | | | | |

(Sd.)
Secretary.

KERALA FINANCIAL CORPORATION

(Incorporated under the State Financial Corporations Act 1951)

HO, Vellayambalam, Thiruvananthapuram-695 033

NOTIFICATIONS

(1)

No. KFC/F&A/1517/2019-20.

23rd January 2020.

In exercise of the powers conferred by Section 4(1) of the State Financial Corporations Act 1951, Kerala State Government vide G.O. (Ms.) No. 215/2019/Fin dated 10-6-2019 have enhanced the Authorized share capital of Kerala Financial Corporation (KFC), from existing Rs. 350 crore to Rs. 500 crore, without diluting Government shares below 74%, on the recommendations of the Board Directors of KFC held on 30-12-2016 and Annual General Meeting of KFC held on 28-7-2017.

(2)

No. KFC/HR/1519/2019-20.

23rd January 2020.

In exercise of the powers conferred by Section 48 of the State Financial Corporations Act 1951, the Board of Kerala Financial Corporation (KFC), after consultation with Small Industries Development Bank of India (SIDBI) vide letter No. IFV: No. 01260/KFC dated 30-5-2019 and with the previous sanction of the State Government vide G.O. (Ms.) No. 397/2019/Fin dated 25-10-2019 and Government vide letter PUA1/45/2019/Fin dated 17-1-2020, has amended Kerala Financial Corporation Staff Regulations 1966, with respect to redesignation of one of the General Manager posts to Executive Director in Kerala Financial Corporation, by adding 'Name of Post: Executive Director, Scale of Pay: Rs. 94850-3150-107450-3400-121050-3650-135650-3900-143450-4150-151750', in the list of posts provided in Appendix (Classes of Officers and Scale of pay of Staff of the Corporation) to KFC Staff Regulations 1966, w.e.f 2-11-2018.